

Stephen J. Scherf, SBA Plan Trust Admini,
Plaintiff
American Express,
Defendant

Adv. Proc. No. 24-00038-amc

CERTIFICATE OF NOTICE

District/off: 0313-2

User: admin

Page 1 of 1

Date Rcvd: Sep 26, 2024

Form ID: pdf900

Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 28, 2024:

NONE

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ust	+ Email/Text: ustpreion03.ph.ecf@usdoj.gov	Sep 27 2024 00:20:00	United States Trustee, Office of United States Trustee, Robert N.C. Nix Federal Building, 900 Market Street, Suite 320, Philadelphia, PA 19107-4202

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 28, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 25, 2024 at the address(es) listed below:

Name	Email Address
EDMOND M. GEORGE	on behalf of Plaintiff Stephen J. Scherf SBA Plan Trust Administrator of SBA Plan Trust edmond.george@obermayer.com, michael.vagnoni@obermayer.com; Lucille.acello@obermayer.com; helen.belair@obermayer.com; coleen.schmidt@obermayer.com; kathleen.jordan@obermayer.com

TOTAL: 1

B2650 (Form 2650) (12/15)

United States Bankruptcy Court

Eastern District of Pennsylvania

In re Scungio Borst & Associates, LLC
Debtor

**Stephen J. Scherf, SBA Plan Trust
Administrator of SBA Plan Trust,**
Plaintiff

v.
American Express
Defendant

Case No. 22-10609 (AMC)


Chapter 11

Adv. Proc. No. 24-00038 (AMC)

CERTIFICATION OF JUDGMENT FOR
REGISTRATION IN ANOTHER DISTRICT

I, clerk of the United States Bankruptcy Court, do certify that the attached judgment is a true and correct copy of the original judgment entered in this proceeding on August 5, 2024 as it appears in the records of this court, and that: (date)

- ☒ No notice of appeal from this judgment has been filed, and no motion of the kind set forth in Federal Rule of Civil Procedure 60, as made applicable by Federal Rule of Bankruptcy Procedure 9024, has been filed.
- ☐ No notice of appeal from this judgment has been filed, and any motions of the kind set forth in Federal Rule of Civil Procedure 60, as made applicable by Federal Rule of Bankruptcy Procedure 9024, have been disposed of, the latest order disposing of such a motion having been entered on _____.
- (date)
- ☐ An appeal was taken from this judgment, and the judgment was affirmed by mandate of the _____ issued on _____.
- (name of court) (date)
- ☐ An appeal was taken from this judgment, and the appeal was dismissed by order entered on _____.
- (date)


Clerk of the Bankruptcy Court

9-24-2024
Date

By: Marie K. K. K.
Deputy Clerk

Form PL262 (12/23)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Scungio Borst and Associates LLC
Debtor(s)

Case No. 22-10609-amc
Chapter 11

Stephen J. Scherf, SBA Plan Trust Administrator of
SBA Plan Trust
Plaintiff

Adversary No. 24-00038-amc

v.

American Express
Defendant

DEFAULT JUDGMENT

Before Judge Ashely M. Chan


AND NOW, in accordance with Request for Entry of Default Judgment, Affidavit and Certificate of Service it is

ORDERED that judgment by default be and the same is hereby entered in favor of Plaintiff, Stephen J. Scherf, SBA Plan Trust Administrator of SBA Plan Trust and against Defendant, American Express in the amount of Two Hundred Ninety One Thousand Nine Hundred Eighty Two Dollars and Forty Eight Cents (\$291,982.48), plus cost in the amount of Three Hundred Fifty Dollars and Zero Cents (\$350.00) for a total sum of Two Hundred Ninety Two Thousand Three Hundred Thirty Two Dollars and Forty Eight Cents (\$292,332.48).

Date: August 5, 2024

FOR THE COURT

ATTEST:



Timothy B. McGrath
Clerk of Court

TRUE COPY CERTIFIED
FROM THE RECORD

FILED:

FILED:

9-24-24
J. Dougherty
Deputy Clerk
U.S. Bankruptcy Court

B1310 (Form 1310) (12/15)

United States Bankruptcy Court

Eastern District Of Pennsylvania

In re: Scungio Borst & Associates, LLC

Case No. 22-10609 (AMC)

Debtor

Stephen J. Scherf, SBA Plan Trust Administrator of SBA Plan Trust,

Adversary No. 24-00038 (AMC)

Plaintiff,

v.

American Express,

Defendant.

EXEMPLIFICATION CERTIFICATE

I, Timothy McGee, clerk of the bankruptcy court for this district and keeper of the records and seal of the court, certify that the documents attached are true copies of

Default Judgment against Defendant American Express in the amount of \$292,332.48

now remaining among the records of the court. In testimony of this statement, I sign my name, and affix the seal of this court at Philadelphia, in the State of Pennsylvania, this 18th day of September 2024.

[Seal of Court]

[Signature]
Clerk of the Bankruptcy Court

I, Ashely Chan, bankruptcy judge for this district certify that Timothy McGee is and was at the date of the above certificate clerk of the bankruptcy court for this district, duly appointed and sworn, and keeper of the records and seal of the court, and that the above certificate of the clerk and the clerk's attestation are in due form of law.

9/18/24
Date

[Signature]
Bankruptcy Judge

I, Timothy McGee, clerk of the bankruptcy court for this district and keeper of the seal of the court, certify that the Honorable Ashely Chan is and was on the date of the above certificate a judge of this court, duly appointed and sworn; and that I am well acquainted with this handwriting and official signature and know and certify the signature written above to be that of the judge.

In testimony of this statement, I sign my name, and affix the seal of the court at Philadelphia, in the State of Pennsylvania, this 19th day of September 2024.

[Seal of Court]

[Signature]
Clerk of the Bankruptcy Court



U.S. Bankruptcy Court

Pennsylvania Eastern Bankruptcy - Philadelphia

Receipt Date: Sep 20, 2024 12:28PM

Obermayer Rebmann Maxwell & Hippell LLP
Centre Square 34th Floor
1500 Market Street
Philadelphia, PA 19102

Rcpt. No: 20000787

Trans. Date: Sep 20, 2024 12:28PM

Cashier ID: #YR

CD	Transaction	Case/Party/Defendant	Qty	Price	Amt
ANN	Ancillary Procee	24-00038-amc	1	52.00	52.00

CD	Tender			Amt
CH	CHECK	#25591	09/19/2024	\$52.00
Total Due Prior to Payment:				\$52.00
Total Tendered:				\$52.00
Total Cash Received:				\$0.00
Cash Change Amount:				\$0.00

Judge: amc **Case:** 24-00038-amc

Debtor: Stephen J. Scherf, SBA Plan Trust Administrator of v. American Express

341 Meeting: Date Not Available

Only when the bank clears the check, money order, or verifies credit of funds, is the fee or debt officially paid or discharged. A \$53 fee will be charged for a returned check.



U.S. Bankruptcy Court

Pennsylvania Eastern Bankruptcy - Philadelphia

Receipt Date: Sep 16, 2024 3:17PM

Obermayer Rebmann Maxwell & Hippell LLP
Centre Square West 34th Floor
1500 Market Street
Philadelphia, Pa 19102

Rcpt. No: 20000770

Trans. Date: Sep 16, 2024 3:17PM

Cashier ID: #DR

CD	Transaction	Case/Party/Defendant	Qty	Price	Amt
EX	Exemplification	24-00038-amc	1	24.00	24.00
CE	Certification \$1		1	12.00	12.00

CD	Tender			Amt
CH	CHECK	#25549	09/16/2024	\$36.00
Total Due Prior to Payment:				\$36.00
Total Tendered:				\$36.00
Total Cash Received:				\$0.00
Cash Change Amount:				\$0.00

Judge: amc **Case:** 24-00038-amc

Debtor: Stephen J. Scherf, SBA Plan Trust Administrator of v. American Express

341 Meeting: Date Not Available

Only when the bank clears the check, money order, or verifies credit of funds, is the fee or debt officially paid or discharged. A \$53 fee will be charged for a returned check.